

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

UNITED STATES OF AMERICA

§

V.

§

5:09-CR-2

§

MARIANO RODRIGUEZ, JR.

§

§

MEMORANDUM ORDER

The above-entitled and numbered criminal action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. No objections were filed to the Report and Recommendation. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is hereby

ORDERED that Defendant's plea of true to the first portion of the first allegation and the second and third allegations is **ACCEPTED**. It is further

ORDERED that Defendant's supervised release is **REVOKED**. Based upon Defendant's plea of true to the allegations, the Court finds Defendant violated his conditions of supervised release. It is further

ORDERED that Defendant is committed to the custody of the Bureau of Prisons to be imprisoned for a term of twelve (12) months to run consecutive to the state court term of imprisonment that has been imposed for the underlying aggravated sexual assault offense in Cause No. 16,179. It is further

REQUESTED that the Bureau of Prisons designate the Texarkana, Texas Federal Correctional Institution or, if that is not possible, the Beaumont, Texas Federal Correctional Institution for service of sentence. The Court requests the Bureau of Prisons not designate the Federal Correctional Institution in Fort Worth, Texas for service of sentence.

SIGNED this 29th day of October, 2009.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE